

REMARKS / DISCUSSION OF ISSUES

Claims 1-15 and 19-21 are pending in the application.

Claims 3 and 16-18 are canceled.

Claims 1, 2, 8 and 13-15 are rejected.

Claims 3-7, 9-12 and 19-21 are objected to.

Allowable Subject Matter

On page 14 of the non-final Office Action claims 3-7, 9-12 and 19-21 are objected to as being dependent upon a rejected base claim, but are allowable if rewritten in independent form. The Applicant has amended base claim 1 to include the limitations of claim 3 which is identified as allowable subject matter in paragraph 8 of the non-final Office Action. Claims 2, 4-8, 12-15 and 19 depend directly or indirectly on base claim 1 and are allowable. The Applicant has amended claim 9 which is identified as the allowable subject matter in paragraph 9 of the non-final Office Action. Claims 10-11 and 20-21 depend directly or indirectly on amended allowable claim 9 and are allowable. The claim is not narrowed in scope and no new matter is added.

35 U.S.C. §103 rejection

On pages 2-12 of the non-final Office Action claims 1, 2, 14 and 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Morozumi in view of Kusumoto et al. Wolf et al., and Wei et al.

On pages 12-13 of the non-final Office Action claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Morozumi in view of Kusumoto et al. Wolf et al., and Wei et al. and further in view of Kitakado.

On pages 13-14 of the non-final Office Action claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Antonuk in view of Kusumoto et al. Wolf et al., and Wei et al. and further in view of Kitakado.

Applicant repeats the arguments and remarks previously recited in the earlier response herein. For at least those reasons it is respectfully submitted that the combination of references fails to teach each and every feature recited in the claims.

However the Applicant has amended the claims in the interest of prosecutorial efficiency. The limits of allowable claim 3 in base claim 1. Claims 2, 4-8, 12-15 and 19 depend directly or indirectly on base claim 1 and are allowable. Allowable claim 9 which is identified has been amended to include the limits of base claim 1. Claims 10-11 and 20-21 depend directly or indirectly on amended allowable claim 9 and are allowable. The claims are not narrowed in scope and no new matter is added.

Conclusion

In view of the foregoing, applicant respectfully requests that the Examiner withdraw the objections and rejections of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Brian S. Myers/
Brian S. Myers
Registration No.: 46947
For Mike Belk,
Registration No.: 33357

Date: December 3, 2008

Mail all correspondence to:
Mike Belk, Registration No.: 33357
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001